

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

ELECTRICAL CORPORATION OF )  
AMERICA, )  
Plaintiff, )  
v. ) Case No. 04-0718-CV-W-HFS  
CITY OF KANSAS CITY, MISSOURI, )  
et al., )  
Defendants, )  
MARK ONE ELECTRICAL CO., INC., )  
Intenvenor. )

**MEMORANDUM TO COUNSEL**

Although the local rules permit further briefing, my review of the extensive briefing to date satisfies me that I can rule pending matters without further briefing. In particular, plaintiff would normally wish to file a reply brief in support of a declaratory judgment. That is unnecessary, as I am reasonably certain to grant a declaratory judgment in favor of the City's current certification practices and concluding that the electrical contractor certification in 2003 was erroneous as to Mark One. If additional consideration suggests the need for further briefing I will advise counsel.

/s/ Howard W. Sachs  
HOWARD F. SACHS  
UNITED STATES DISTRICT JUDGE

May 23, 2005  
Kansas City, Missouri